GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:26
ANSWERED ON:20.11.2001
REVIVAL OF IPC
RAGHUVANSH PRASAD SINGH

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the revival of sections 61 and 62 of IPC is being finalized;

(b) if so, the time by which an Amending Bill is likely to be introduced in Parliament to this effect; and

(c) if not, the other measures proposed to be taken to plug the loopholes in the present Prevention of Corruption Act, 1988?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (I.D.SWAMI)

(a),(b)&(c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a), (b) & (c) OF LOK SABHA STARED QUESTION NO.26 FOR ANSWE 20.11.2001.

(a), (b) & (c): There is no proposal under consideration of the Government to revive sections 61 and 62 of the Indian Penal Code, 1860.

The Law Commission of India in its 166th Report recommended enacting a legislation titled `The Corrupt Public Servants (Forfeiture of Property) Act, 1999` for forfeiture of ill-gotten properties. The Report has been examined in consultation with legal experts and it has been felt that an enactment of a separate legislation for confiscating the illegally acquired assets of public servants may not be the solution to the problem. Rather, it would be more appropriate to strengthen the anti-corruption law by plugging its loopholes as well as by amending the Prevention of Corruption Act, 1988 suitably to make it more deterrent and thereby achieve the deserved objective. The matter is being processed accordingly.